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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - ATLANTIC COUNTY

DOCKET NO. ATL-L-6966-10

LINDA GROSS and JEFFREY GROSS	:MASTER CASE
Plaintiffs,	:NO.
v.	:L-6341-10-CT
	:
GYNECARE, ETHICON, INC., JOHNSON &	:Civil Action
JOHNSON, and JOHN DOES 1-20	:Case No. 291
Defendants.	:

- - -

Tuesday, December 4, 2012

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Transcript of the videotaped deposition of ELIZABETH KAVALER, M.D., called for examination in the above-captioned matter, said deposition taken pursuant to Superior Court Rules of Practice and Procedure by and before Kimberly A. Overwise, a Certified Realtime Reporter, Registered Professional Reporter, Certified Court Reporter, and Notary Public, at Riker Danzig Scherer Hyland Perretti, LLP, 500 Fifth Avenue, New York, New York, on the above date, beginning at 9:41 a.m.

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1 do it, you know, cautiously.

2 MR. SLATER: Let's break for a couple
3 minutes. I may be done --

4 THE WITNESS: Okay.

5 MR. SLATER: -- or within like a
6 couple documents. I'm going to probably not ask all
7 my questions. Let's go off the record.

8 THE VIDEOGRAPHER: The time is now
9 5:44. We're going off the record.

10 (Short recess.)

11 THE VIDEOGRAPHER: The time is now
12 5:59. We are back on the record.

13 MR. SLATER: Doctor, I'm done with my
14 questioning of you. Thank you. I think counsel may
15 have some questions for you now.

16 BY MS. KABBASH:

17 Q Yes, thank you, Dr. Kavalier. I just have
18 a few questions. There was some testimony earlier
19 today regarding your personal experience and the
20 role that your personal experience may have in the
21 formation of your opinions in your report and today.
22 Do you recall that testimony?

23 A Yes, I do.

24 Q Is your personal experience with your
25 patients the only basis from which your opinions and

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1 your report and your testimony today derive?

2 A No.

3 Q What are the other bases of your opinions?

4 MR. SLATER: Objection.

5 You can answer.

6 THE WITNESS: I base my opinions on
7 medical literature I've read, presentations that
8 I've attended, interactions with colleagues and
9 their experience, and then my own personal
10 experience.

11 BY MS. KABBASH:

12 Q Mr. Slater asked you earlier today if you
13 were able to cite any particular study for a
14 reoperation rate for mesh exposure. Do you recall
15 that?

16 A I do.

17 Q In the course of your preparations of your
18 report, have you reviewed the Altman study -- excuse
19 me -- the Altman randomized controlled trial that
20 was published in the New England Journal of
21 Medicine?

22 A Yes, I did.

23 Q By the way, is that -- would that be
24 considered Level 1 evidence?

25 A Yes.

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CERTIFICATE

I, KIMBERLY A. OVERWISE, a Certified Court Reporter and Notary Public of the State of New Jersey, do hereby certify that prior to the commencement of the examination, ELIZABETH KAVALER, M.D., was duly sworn by me to testify to the truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a verbatim transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth, to the best of my ability.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in this action.

KIMBERLY A. OVERWISE

CCR: 30X100224600

Dated: December 20, 2012